

**City of Reading City Council
Regular Business Meeting
Monday, May 9, 2011**

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by President of Council Vaughn Spencer.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Acosta, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Historic Preservation Specialist A. Woldt
Mayor T. McMahon
Sergeant at Arms Captain R. Schafer

PROCLAMATIONS AND PRESENTATIONS

City Council issued the following commendations:

- Recognizing National Police Week/Reading Police Memorial Day accepted by Deputy Police Chief Mark Talbot
- Recognizing Municipal Clerk's Week accepted by Linda Kelleher, City Clerk
- Recognizing the outstanding Reading High School winter sports athletes

Mayoral Proclamation was issued:

- Recognizing National Kids to Parks Day accepted by Matt Lubas, City Recreation

PUBLIC COMMENT

Council President Spencer announced that two (2) citizens were registered to address Council on non-agenda topics. He inquired if any member of Council objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected, the rule requiring non-agenda comment at the end of the meeting was suspended. Council President

Spencer reminded those registered to speak of the remaining public speaking rules.

Daniel Niehieser, of Cotton Street, was not present.

Therese Mallory, of Landsdowne, PA, stated that she represents LaRouche Political Action Committee regarding House Bill 1489, the Prudent Banking Act, which seeks the end of bailing out banks and Wall Street and providing assistance to struggling states and local municipalities. She distributed material about the Act. She urged Council to assist this political action committee by applying pressure on the federal legislators to pass this critical legislation.

APPROVAL OF THE AGENDA & MINUTES

Council President Spencer called Council's attention to the minutes for the April 25th regular meeting of Council and the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He noted that need to add two pieces of legislation as follows:

- **Resolution** – requiring the Administration to use proper financial procedures for CD financial transactions
- **Ordinance** – increasing the Right-To-Know fees

Councilor Waltman requested that the Resolution regarding the funding of the micro-loan program be removed from the Consent Agenda and addressed separately.

Councilor Waltman moved, seconded by Councilor Reed, to approve the minutes from the April 25th Regular meeting of Council and the agenda as amended, including the legislation listed under the Consent Agenda heading. The motion is approved unanimously.

Consent Agenda Legislation

Resolution 71-2011 authorizing the Mayor to execute a FFY2011 (37th CD year – January 1, 2011 - December 31, 2011) Action Plan Amendment to move \$370,000 in CDBG unprogrammed funding to the 2011 Street Paving Activity (**Community Development**)

Resolution 72–2011 promoting Police Officer Wayne Levey to the position of Sergeant (Police)

Resolution 70-2011 - authorizing the Mayor to execute a FFY2011 (37th CD year - January 1, 2011 to December 31, 2011) Action Plan Amendment to move \$450,000 in CDBG unprogrammed funds to the 2011 Microenterprise Development Activity (Community Development)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Resolution 70-2011.

Resolution No. 70-2011 was tabled by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,
President – 7**

Nays: None – 0

ADMINISTRATIVE REPORT

Mayor McMahon read the report distributed to Council at the meeting covering the following:

- Receipt of a \$1M H2O grant for the Waste Water Treatment Plant project
- Congratulations to Reading Beautification for the successful Great American Cleanup
- Visit by delegates from Reading's Sister City, Reutlingen, Germany

Mayor McMahon introduced Amy Woldt, the City's Historic Preservation Specialist. Ms. Woldt described the function and mission of Historic Preservation in Reading. She stated that the City has four (4) historic districts; Centre Park, Callowhill, Prince, and Penn's Common, which are overseen by the eleven (11) volunteer member HARB (Historical Architectural Review Board). She stated that HARB heard 202 Certificate of Appropriation requests from the four (4) City's Historic Districts in 2010 and only denied eighteen (18). She noted how the HARB works with applicants to find compromise. Ms. Woldt noted that a fifth Historic District application is in progress for the Albright area of Reading, which will be called The Heights.

Councilor Goodman-Hinnershitz stated she admires the work of Ms. Woldt and HARB.

Councilor Goodman-Hinnershitz suggested that the Mayor approach local churches to seek their assistance with summer recreation programming.

Councilor Marmarou thanked Ms. Woldt for her assistance in working with the Albright area to apply for historic district designation.

Councilor Marmarou inquired when the 200 block of North Eighth Street will be reopened to traffic. Mayor McMahon stated that the building is currently under engineering evaluation and should be completed within the next week.

Ms. Reed thanked Ms. Woldt and the HARB Board for their work to preserve Reading's architecture. She noted the desire of a community group to form an additional Historic

District in the Berkshire Greens area in Glenside.

Councilor Reed inquired about the additional dumping occurring at the Argo site at Second and Buttonwood Streets. Mayor McMahon stated that the Administration investigated this complaint and found that dumping, per se, was not occurring; however concrete materials have been added to this site. These materials will be ground and tamped down to fill up the basement area, so the site can be reused.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- 2011 Liquid Fuel Reciepts
- 2011 Unemployment Compensation
- Announcing the completion of the Parking Authority's external audit by Herbein and Co.

ORDINANCES FOR FINAL PASSAGE

There were no ordinances for final passage at this meeting.

INTRODUCTION OF NEW ORDINANCES

Ordinance – amending the City of Reading Full Time Position Ordinance by reducing the number of sergeant positions in the Police Department to 26 from 29. **(Police)**

Ordinance – amending the City of Reading Full Time Position Ordinance by adding one (1) Graffiti Abatement Manager in the Solid Waste Office **(Business Analyst)**

Ordinance – amending the fees in accordance with the Right-to-Know Act

RESOLUTIONS

Resolution 73–2011 - creating the micro-loan program as part of the Community Development programming **(Community Development)**

Councilor Reed moved, seconded by Councilor Acosta, to adopt Resolution No. 73-2011.

Council President Spencer explained that this resolution will only create the micro-loan program; Council will need to adopt a separate resolution authorizing the funding of the program in the future.

Resolution No. 73-2011 was adopted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,
President – 7
Nays: None – 0**

Resolution 74 –2011 appointing Christopher Fegley to the Citizen’s Advisory Board
(Admin Oversight)

Resolution 75–2011 appointing Peter Delinko to the Citizen’s Advisory Board (Admin
Oversight)

Resolution 76-2011 reappointing Michael Lauter to the Planning Commission (Admin
Oversight)

Resolution 77-2011 appointing Jared Barcz as an alternate to the Zoning Hearing Board
(Admin Oversight)

Resolution 78–2011 appointing Brad Gass to the Fire Civil Service Board (Admin
Oversight)

Resolution 79–2011 appointing Edwin Stock to the Police Civil Service Board (Admin
Oversight)

**Councilor Acosta moved, seconded by Councilor Marmarou, to adopt Resolutions No. 74-
2011 -79-2011.**

Councilor Acosta described the application process and expressed the Committee’s
appreciation for the people who step forward to assist the City by volunteering.

Councilor Reed agreed and noted that it is good to see younger citizens begin to get involved.
She also thanked the more experienced citizens for both applying for reappointment and
stepping forward to volunteer.

Councilor Goodman-Hinnershitz commended the Administrative Oversight for their work to
place citizens in a way that best serves the citizen and the City.

Resolutions No. 74-2011 through 79-2011 was adopted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,
President – 7
Nays: None – 0**

Resolution 80-2011 - directing the Administration to follow the adopted financial policies
when processing Community Development financial transactions

Councilor Reed moved, seconded by Councilor Acosta, to adopt Resolution No. 80-2011.

Councilor Waltman noted the amount of time Council spent discussing this issue and the Administration's delay in correcting the process that was broken. He stated that the goal of this resolution is to seek the repair of the broken invoice processing process.

Councilor Acosta inquired why the City Auditor waited so long to raise the issue about the improper invoice payment process when he identified the issue as broken in late 2010. He also inquired why the City Auditor failed to attend the Council Committee of the Whole meeting when this issue was discussed.

City Auditor Cituk stated that he heard rumor that the Charter Board Advisor Opinion supports his opinion regarding the improper process created by the Administration to pay Community Development invoices. He stated that he did not attend the Committee of the Whole session because he did not receive an invitation. However, he did add that he when reviewing the Committee of the Whole agenda did notice that the topic was up for discussion.

Councilor Reed noted that the Charter Advisory Board Opinion was attached to the Committee of the Whole agenda, which was posted on the website. She stated that the Auditor should have attended the session as he originally brought the issue before the body of Council. She noted the importance for follow-up on issues when they are identified and brought to City Council. She expressed the belief that the Auditor's behavior was quite irresponsible.

City Auditor Cituk accused City Council of playing politics as he was not invited to attend the Committee of the Whole meeting.

Councilor Acosta took issue with the Auditor's accusation that Council was merely playing politics, as this issue was brought to the body of Council by the Auditor in March. He stated that the issue is not political but one that speaks to the current Auditor's performance and responsibility. He noted that this issue could have been fixed at the end of the end of 2010 if he had intervened sooner. He suggested that the Auditor only identified the issues to obtain a newspaper headline.

Councilor Goodman-Hinnershitz stated that she will not support the resolution as she fears that the term "immediate" used in the resolution may hinder the payment of invoices before the Administration properly resolves the problem.

Councilor Sterner agreed with the sentiments expressed and with the need to correct the faulty procedure. He noted that in the Committee of the Whole meeting the Administration announced their willingness to take corrective steps. He stated that he will also not support

the adoption of the resolution.

Councilor Waltman noted that Council already verbally requested that the Administration stop using the separate invoice system in March; however, the Administration still uses the dual system. He expressed the belief that this problem should have been fixed when it was identified rather than wasting additional meeting time to discuss it.

Councilor Acosta agreed that the Administration should have corrected the problem in March when requested by City Council. He stated that the issue should not have grown to this level. He noted that this is another issue that Council asked the Administration to fix; however they refused.

Councilor Sterner noted that City Council Spencer and Councilor Marmarou have yet to make their remarks. He asked other Councilors to allow time for Council President Spencer and Councilor Marmarou to comment.

Councilor Marmarou stated that he did not wish to make a statement and called for the question.

Resolution No. 80-2011 was adopted by the following vote:

Yeas: Acosta, Marmarou, Waltman, Spencer, President – 4

Nays: Goodman-Hinnershitz, Reed, Sterner – 3

COUNCIL COMMENT

Councilor Goodman-Hinnershitz thanked the Police Department and Codes Office for attending a recent District 2 Community Group meeting.

Councilor Goodman-Hinnershitz noted the upcoming Children's Program at the Pagoda this Saturday, May 14th. She also noted UGI's intent to repave Cotton Street this summer.

Councilor Marmarou thanked Deputy Chief Talbot, Captain Powell and the Reading Police Department for handling the Albright event over the past weekend.

Councilor Sterner congratulated the Reading High athletes honored tonight.

Councilor Reed noted the need to properly inform the public about the available and unavailable Recreation program at City playgrounds this summer.

Councilor Goodman-Hinnershitz suggested that the Administration post information on the City website and place directive signage at all playgrounds regarding the programs available.

Councilor President Spencer reviewed the upcoming meeting schedule.

Councilor Acosta moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk